

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MICHAEL HENRY HEARN,

Plaintiff,

v.

Civil Action No. **3:11CV674**

UNKNOWN,

Defendant.

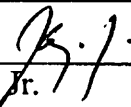
MEMORANDUM OPINION

By Memorandum Order entered on November 16, 2011, the Court conditionally docketed Hearn's civil action. At that time, the Court directed Hearn to submit a statement under oath or penalty of perjury explaining the basis for the Court's jurisdiction in the present action. Hearn was also directed to submit the filing fee of \$350.00 in its entirety. The Court warned Hearn that a failure to comply with either of the above directives within thirty (30) days of the date of entry thereof would result in summary dismissal of the action.

Hearn has not complied with the orders of this Court. Hearn has not submitted a basis for jurisdiction nor has he paid the statutory filing fee for the instant complaint. *See* 28 U.S.C. § 1914(a). Such actions demonstrate a willful failure to prosecute. *See* Fed. R. Civ. P. 41(b). Accordingly, this action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 1/17/12
Richmond, Virginia

<p>/s/  _____ John A. Gibney, Jr. United States District Judge</p>
